

**Town of Kinderhook  
Planning Board Meeting  
3211 Church Street  
Valatie, NY 12184  
November 19, 2015**

Approved 12/10/2015

**Minutes**

The Town of Kinderhook Planning Board met on Thursday, November 19, 2015, at 7:00pm at the Kinderhook Town Hall, 3211 Church Street, Valatie, NY. The Chairman called the meeting to order and the secretary called the roll.

**A. Roll Call**

Present:

Peter Haemmerlein, Chairman  
Andy Howard, Town Attorney  
Patrick Prendergast, Engineer  
Guy Rivenburgh  
Jake Samascott  
William Butcher  
Dale Berlin  
Jason Graham  
Dan Weiller, Alternate  
Jonathan Cavagnaro, Alternate  
Nataly Dee, Secretary

Excused:

Chris Simonsen

Absent:

None

**B. Correspondence**

1. Review of Minutes:

October 8, 2015 - Workshop;  
October 15, 2015 – Meeting;

Minutes listed above were tabled pending further review.

**C. Public Hearings**

None

**D. Old Business**

1. Marcel St Onge /Old Kinderhook Self-Storage, 3067 US Rte 9, Valatie – Site Plan Review;

Mr. VanAlstyne addressed the board and distributed plans for review. The Public Hearing was held and closed last month. The drainage issues have been reviewed and addressed. Plans stamped by the engineer and? The opinion of the County Planning Board was reviewed, noting that there is no county wide impact. The comments were offered were reviewed, which addressed the access right of

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way via Dollar General and that the local fire company be consulted. Both of these actions have transpired in the course of the board's review of the proposal.

A recommendation was made that the lights at the proposed buildings be set on motion activated sensors or timers for security and liability purposes. Mr. Prendergast noted the potential financial savings of such an installation. The matter could be made a condition of approval. The location of such a device was discussed. It was suggested that sensors could be installed along the western and southern property lines, for the furthest row of buildings from Rte 9. A letter outlining the location and conditions could be drafted and made a part of the file and condition of approval. Mr. St Onge noted that all lights on the existing site have been adjusted. Discussion ensued.

Mr. Samascott made a motion to accept and approve the application as submitted with the condition that the lighting along the south boundary line of the parcel be equipped with motion-controlled sensors to have the lighting go off by 11 pm every night. Mr. Graham seconded the motion. Motion carried. Application approved with conditions.

2. CaroVail, 831 CR 28, Niverville – Site Plan Review;

Mr. Schmitt addressed the board. Mr. Haemmerlein asked about any changes from last week. County Highway permit was submitted and reviewed. The County Planning opinion was reviewed. The bulk handling permits form DEC were submitted regarding chemical and petroleum.

Mr. Howard distributed and reviewed a resolution for the board's consideration. The proposed conditions were offered for the board's consideration. Mr. Howard read the resolution (on file). All items of the resolution derived from comments and concerns raised by the board and the public.

The demolition of the downspout was discussed. Bulk material downspout will be removed from the existing location. Paving and sealing of the blacktop was discussed to facilitate any necessary cleanup.

Mr. Weiller addressed and reminded the board of section 250-42 of the zoning code, which addresses the razing, and construction of the new building.

The State Environmental Quality Review (SEQR) was reviewed by the Attorney:  
Part II: Impact Assessment of the EAF (Short Environmental Assessment Form).

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? *Proposed answer is no or small impact.*
2. Will the proposed action result in a change in the use or intensity of use of land? *Proposed answer is no or small impact.*
3. Will the proposed action impair the character or quality of the existing community? *Proposed answer is no or small impact.*
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? *Proposed answer is no.*
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? *Proposed answer is no or small impact.*

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6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? *Proposed answer is no or small impact.*
7. Will the proposed action impact existing:
  - a. public / private water supplies? *Proposed answer is no or small impact.*
  - b. public / private wastewater treatment? *Proposed answer is no or small impact.*
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? *Proposed answer is no or small impact.*
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? *Proposed answer is no or small impact.*
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? *Proposed answer is no or small impact.*
11. Will the proposed action create a hazard to environmental resources or human health? *Proposed answer is no or small impact.*

If the board was in agreement with the answers to the questions posed above, they could entertain a motion to issue a negative declaration under SEQR.

Mr. Berlin made a motion to issue a negative declaration. Mr. Rivenburgh seconded the motion. All in favor. Motion carried. Declaration issued.

Mr. Berlin made a motion to approve the resolution as amended and to approve the application with the conditions noted therein. Mr. Graham seconded the motion. A roll call vote was taken. All voting members voted in favor of approval. Mr. Simonsen was excused from the meeting. Motion carried, project approved.

3. 7<sup>th</sup> Day Adventists – Route 9, Valatie – Site Plan Amendment;

No one was in attendance to represent this application.

4. Kyle Mitchison, County Route 32 – Minor Subdivision;

Mr. VanAlstyne addressed the board and distributed plans for review. Mr. VanAlstyne noted that this subdivision has been approved by the Town of Schodack Planning Board. Mr. VanAlstyne noted that as there are few neighbors, is there a need to have a Public Hearing.

Mr. Rivenburgh made a motion to make the December 10<sup>th</sup>, 2015 workshop meeting a voting meeting and set the application for public hearing at that meeting at 7:05pm. Mr. Graham seconded the motion. All in favor. Motion carried; hearing set.

**E. New Business**

None

**F. ZBA Opinions**

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**G. Liaisons**

1. Village Planning Boards: Nothing new to report.
2. Town Board: Nothing new to report.

**H. Other**

1. Public Comment

A brief discussion ensued regarding the lighting installed at the egress of the Club Life site.

Mr. Haemmerlein noted an old town zoning map from 1970 that he found that notes CaroVail's location as a commercial zone.

Mr. Berlin made a motion to adjourn the meeting. Mr. Rivenburgh seconded the motion. All in favor. Motion carried; meeting adjourned at 7:45.

Respectfully Submitted,

Nataly Dee, Secretary